

REMARKS

This application pertains to a novel adhesive based on styrene block copolymers, which is highly stable to aging and which can be used to create a connection which can be parted again by extensive stretching in the direction of the bond plane, and its use for a pressure sensitive adhesive (PSA) sheet strip.

The novel adhesive is comprised of a block copolymer having one or two end blocks composed of vinylaromatics, and a block composed of a conjugated diene. In the conjugated diene, the fraction of 1,2-linked diene is selectively hydrogenated.

Claims 1-16 stand rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Lühmann et al (US 6,004,665).

The Lühmann reference, at col. 3, lines 42-50, describes block copolymers comprising polymer blocks formed from vinylaromatic compounds (A blocks) and those formed by polymerization of 1,3-dienes (D blocks). Lühmann further mentions, at col. 3, lines 48-50, that the resulting block copolymers may contain identical or different D blocks, which can be partially, selectively or completely hydrogenated.

Applicants previously pointed out that, insofar as Lühmann refers to his D blocks as being selectively hydrogenated, this would clearly be understood by those skilled in the art to mean that some D blocks are hydrogenated, and some are not. This is

especially true when one considers that Lühmann's product can include different D blocks.

The D blocks which are hydrogenated are, however, polymer blocks.

In Applicants' invention, by contrast, as defined by the independent claim, it is the 1,2 linked diene that is selectively hydrogenated.

The Examiner's attention is respectfully drawn to the language found at page 7, first paragraph, of the specification, which reads as follows:

In the preparation of block copolymers based on vinylaromatics, preferably styrene and 1,3-dienes, especially isoprene and butadiene, both 1,2-linked and 1,4-linked dienes are incorporated into the diene block. The fraction of 1,2-dienes can be controlled by the solvent, the temperature or the catalyst. Since the 1,2-linked dienes contain a terminal double bond, while the double bond in the case of the 1,4-linked dienes is in the main chain, a selective hydrogenation of the terminal and hence more reactive double bonds is possible.

The Examiner's attention is also respectfully drawn to the dictionary meaning of the term "select" which, as indicated in the attached print out from "Dictionary.com" is:

*Singled out in preference; chosen.*

Therefore, any person skilled in the art reading Applicants' claims would understand such claims to mean that the 1,2-linked dienes are selectively, i.e., preferentially, hydrogenated.

The Examiner, referring to the differences between the Lühmann reference and Applicants' claims, contends that:

"Finally, even if other moieties besides the fraction of 1,2-linked diene which is selectively hydrogenated are present in the adhesive composition this fact is simply irrelevant in view of his open ended claims."

However open-ended the Examiner thinks Applicants' claims may be, the fact is that the claims recite the **selective** hydrogenation of the fraction of 1,2-linked dienes, and the Lühmann reference neither teaches nor suggests anything at all about the selective hydrogenation of any specific dienes. Lühmann does not distinguish between 1,2-linked dienes and any other dienes that are present in Lühmann's D blocks.

The Lühmann reference cannot therefore possibly anticipate or suggest Applicants' claims, and the rejection of claims 1-16 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Lühmann et al (US 6,004,665) should be withdrawn.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luhmann et al. (US 6,004,665). This because the Examiner contends that the Lühmann reference's teaching, at col. 4, lines 29-31, of polyisobutylenes, etc. "encompasses for purposes of obviousness the claimed SBBS polymers". For a reference to render a claim obvious, that reference must suggest the limitations of the claim. The expression "polyisobutylenes, etc." does not teach or suggest SBBS polymers. How in the world does the Examiner think that someone reading "polyisobutylenes, etc." is going to arrive at SBBS polymers, given that the expression

"etc" cannot reasonably be seen as suggesting the whole of chemistry.

Moreover, even if somehow "polyisobutylenes, etc." was found to suggest SBBS, the presence of SBBS would not in any way overcome the differences discussed above with respect to the rejection of claims 1-16.

Applicants' claim 17 cannot therefore be seen as obvious over the Lühmann reference, and the rejection of said claim under 35 U.S.C. 103(a) as being unpatentable over Luhmann et al. (US 6,004,665) should now be withdrawn.

In view of the present amendments and remarks, it is believed that claims 1-17 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested, and the allowance thereof is courteously solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this amendment is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

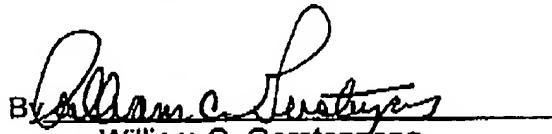
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Respectfully submitted

NORRIS, McLAUGHLIN & MARCUS

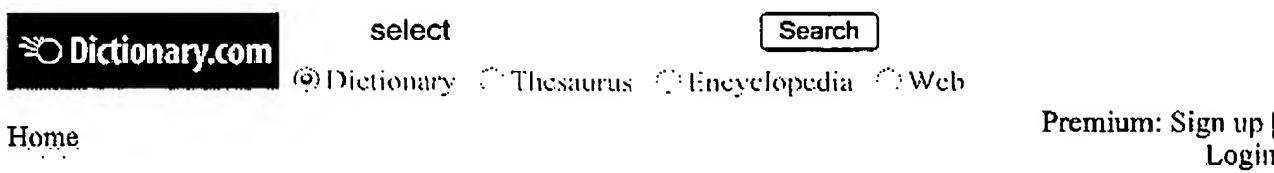
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By   
William C. Gerstenzang  
Date April 17, 2006



## ADVERTISEMENT

Dictionary - Thesaurus - Encyclopedia - Web

Top Web Results for "select"

### 4 entries found for *select*.

**select**  **P**ronunciation Key (sĕlĕkt')  
v. **se•lect•ed**, **se•lect•ing**, **se•lects**  
v. **tr.**

To take as a choice from among several; pick out.

v. *intr.*

To make a choice or selection.

*adj.*

1. Singled out in preference; chosen: *a select few*.
2. Of special quality or value; choice: *select peaches*.
3. Of or relating to a lean grade of beef.
4. Careful or refined in making selections; discriminating.

*n.*

1. One that is chosen in preference to others or because of special value.
2. (*used with a pl. verb*) Chosen or preferred items or people considered as a group. Often used with *the*.